

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SECURITIES AND EXCHANGE
 COMMISSION,

Plaintiff,

v.

LEWIS E. GRAHAM II and FLOWWORKS, INC.,

Defendants.

2:09-cv-00250-JCM-LRL

ORDER and RECOMMENDATION

Before the court is defendant Graham's Status Report (#35) and Motion to Extend Time on Behalf of All Defendants (#36). The court has considered the Report (#35) and Motion (#36); Graham's Updated Status Report (#38); the addendum to his Motion to Dismiss Case as There Is No Dispute Between the Parties (#39); and plaintiff's Opposition to Motion to Dismiss and/or to Extend Time on Behalf of All Defendants (#43).

The court finds that Graham has failed to demonstrate good cause to "extend time" on behalf of any defendant. Graham is reminded that unless a corporate defendant is represented by licensed counsel, it may be subject to a default judgment. As for Graham's request for dismissal of the case, it appears to be grounded only on his view that no dispute exists among the parties, and on his willingness to apologize and make amends for "any mistakes, errors or omissions" the defendants might have made. If Graham wishes to engage in settlement discussions with plaintiff, he is free to do so, provided that plaintiff also wishes to do so. In the interest of judicial economy, of course, the court encourages both sides to undertake settlement discussions at their earliest convenience, assuming there is a reasonable basis for doing so. Accordingly, for these reasons,

...

ORDER

IT IS ORDERED that the Motion to Extend Time on Behalf of All Defendants (#36) is denied.

RECOMMENDATION

The undersigned United States Magistrate Judge recommends that Graham's request for dismissal of the case (#35) be denied.

DATED this 13th day of May 2010.



LAWRENCE R. LEAVITT
UNITED STATES MAGISTRATE JUDGE